

# CRASH TO COURTROOM



Idaho Prosecuting Attorneys Association  
November 3-5, 2021  
Idaho POST Academy



## Course Description

The Idaho Prosecuting Attorneys Association invites you to attend the “Crash to Courtroom” training on November 3-5, 2021. This 3-day course focuses on increasing the ability of Idaho prosecutors and crash reconstruction officers to communicate effectively and confidently in the courtroom. Professor John Kwasnoski will present the curriculum with a faculty of experienced vehicular crimes prosecutors. Professor Kwasnoski has reconstructed over 1,300 crashes and has testified under oath more than 200 times. The goals of this training include:

- Understand the importance of credibility building during testimony.
- Developing skills that will enhance the connection between the crash reconstruction witness and the jurors.
- Gaining insight into defense strategies & tactics and understanding the “rules of engagement.”
- Developing direct testimony that will paint the picture of reality for the jurors.

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## Register Now!



### Course Details:

**Where:** Idaho POST Academy, Meridian, ID  
**Date:** November 3-5, 2021  
**Times:** 8 am- 5 pm (Wed/Thurs)  
8 am - 12 pm (Fri)

[Click Here to Register](#)

### Registration is Free:

The Idaho Prosecuting Attorneys Association is pleased to offer this course free of charge. There is also a possibility to award participants with scholarships to cover the costs of lodging. To reserve a seat please contact Jared Olson by email at [jared.olson@post.idaho.gov](mailto:jared.olson@post.idaho.gov). Please provide your name, agency and email address. Space is limited so REGISTER TODAY!

It is anticipated this course will qualify for CLE and POST credit. We look forward to seeing you at this valuable training!

**2021**  
*Idaho Prosecuting Attorneys Association*  
**Crash to Courtroom**  
**AGENDA**  
*November 3-5, 2021*  
*Idaho P.O.S.T. Academy – Meridian, Idaho*



**WEDNESDAY, NOVEMBER 3<sup>RD</sup> – BLDG # 3, CLASSROOM A**

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|--------------|---|
| 7:30 - 8:00  | Registration & Welcome  |
| 8:00 - 8:50  | Crash to Courtroom -- What is at Stake? <ul style="list-style-type: none"><li>• <i>The Rules of Trial</i></li><li>• <i>What does the witness control?</i></li><li>• <i>What is at stake – the record lasts forever</i></li></ul>  |
| 8:50 - 9:00  | BREAK   |
| 9:00 - 9:50  | The Basis for Being a Powerful Witness <ul style="list-style-type: none"><li>• <i>Patience, listening and visualization</i></li><li>• <i>Qualification testimony – your 1<sup>st</sup> Opportunity to connect with the jury</i></li><li>• <i>Demo-Qualifying without preparation</i></li><li>• <i>The conversational style</i></li><li>• <i>Building a tool to handle unfair cross-exam tactics</i></li></ul> |
| 9:50 - 10:00 | BREAK   |

## WEDNESDAY, NOVEMBER 3<sup>RD</sup> (CONTINUED...)

10:00 – 10:50	Direct Examination Fundamentals from the Witness' Perspective <ul style="list-style-type: none"><li>• <i>Knowing Your Job as a Witness</i></li><li>• <i>Tell the Truth</i></li><li>• <i>Educate the Jury Exercise assignments</i></li></ul>
10:50 – 11:00	BREAK
11:00 – 12:00	Exercise – Educating the Jury <ul style="list-style-type: none"><li>• <i>Setting up the Cross of Defense Expert</i></li></ul>
12:00 - 1:00	LUNCH ON YOUR OWN
1:00 - 1:50	Exercise – Educating the Jury (continued)
1:50 - 2:00	BREAK
2:00 - 2:50	Using “Plain Speak” <ul style="list-style-type: none"><li>• <i>Discussion - How does an accelerometer work?</i></li><li>• <i>Describe how an accelerometer can be misused by an expert to produce a low drag factor value</i></li><li>• <i>Overview of State v. Farner case</i></li><li>• <i>Assignments for Individual “plain speak” exercise</i></li><li>• <i>Overview of the State v Farner case</i></li><li>• <i>Assignments of area of testimony for the State v. Farner</i></li></ul>
2:50 – 3:00	BREAK
3:00 - 5:00	Assignment of Direct Examination Fact Patterns – Preparing for Court with the Prosecutor <i>Adam Garvin, Bonneville County Deputy Prosecutor</i> <i>Daniel Fox, California Deputy Prosecutor</i> <i>Erin Inman, National Traffic Law Center</i>
5:00	Adjourn – Dinner on Your Own



## THURSDAY, NOVEMBER 4<sup>TH</sup> -- BLDG # 8, CLASSROOM A

8:00 - 8:50	Individual "Plain Speak" Exercise
8:50 - 9:00	BREAK
9:00 - 9:50	<p>The Pre-Trial Meeting with the Prosecutor</p> <ul style="list-style-type: none"><li>• <i>What does each expect of the other</i></li><li>• <i>What to tell the witness about the upcoming trial</i></li><li>• <i>The importance of making concessions</i></li><li>• <i>Selecting Trial Exhibits - Farner Case</i></li></ul>
9:50 - 10:00	BREAK
10:00 - 10:50	<p>Cross-Examination - the Witness' Perspective &amp; Strategies</p> <ul style="list-style-type: none"><li>• <i>"You don't have to dance" to the defense attorney's beat</i></li><li>• <i>What the defense attorney's strategies &amp; tactics might be</i></li><li>• <i>Strategies &amp; skills to protect the witness' picture of reality</i></li></ul>
10:50 - 11:00	BREAK
11:00 - 12:00	<p>Witness Cross-Examination Strategies</p> <ul style="list-style-type: none"><li>• <i>Anticipating/defeating the defense attacks in the Farner case.</i></li></ul>
12:00 - 1:00	LUNCH ON YOUR OWN
1:00 - 1:50	Exercise - Defense attacking in the Farner Case
1:50 - 2:00	BREAK
2:00 - 2:50	Preparation of Trial Testimony & Exhibits
2:50 - 3:00	BREAK
3:00 - 5:00	<p>Work Session - Preparing for Court with the Prosecutor</p> <p><i>Adam Garvin, Bonneville County Deputy Prosecutor</i></p> <p><i>Daniel Fox, California Deputy Prosecutor</i></p> <p><i>Erin Inman, National Traffic Law Center</i></p>
5:00	Adjourn - Dinner on Your Own

## **FRIDAY, NOVEMBER 5<sup>TH</sup> – BLDG # 8, CLASSROOM A**

**8:00 - 12:00**

### **Courtroom Testimony Exercises (15 Minutes per Witness)**

- Each witness will be videotaped.
- Prosecutor participants will second chair an experienced prosecutor during the direct examination (6 minutes)
- Each witness will then be cross-examined immediately following their direct testimony (5 minutes).
- Participants to be critiqued by jurors and faculty.

**12:00**

### **Wrap-Up & Evaluations**